

DANIEL G. BOGDEN
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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| | | |
|---------------------------|---|----------------------------|
| UNITED STATES OF AMERICA, |) | Case No.:2:16-mj-00688-GWF |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | STIPULATION TO CONTINUE |
| |) | BENCH TRIAL |
| |) | (First Request) |
| JAMES BRIAN RAYKE., |) | |
| |) | |
| Defendant. |) | |

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, and Jared Grimmer, Assistant United States Attorney, counsel for the United States of America, and Michael Becker, Esquire, counsel for defendant, that the bench trial in the above-captioned matter, currently scheduled for February 22, 2017, at the hour of 9:00 a.m., be vacated and continued for thirty (30) days or to a date and time convenient to the Court.

This stipulation is entered into for the following reasons:

1. The Government will be providing counsel for the defendant with additional discovery. Defense counsel will need additional time to review and discuss the evidence provided by the government with his client.

2. Defendant is out of federal custody and agrees to the continuance.

1 3. Denial of this request for a trial continuance would prejudice both the Defendants
2 and the Government and unnecessarily consume this Court's valuable resources, taking into
3 account the exercise of due diligence.

4 4. Additionally, denial of this request for continuance could result in a miscarriage
5 of justice.

6 5. The additional time requested by this stipulation, is excludable in computing the
7 time within which the defendant must be indicted and the trial herein must commence pursuant
8 to the Speedy Trial Act, 18 U.S.C. § 3161(b) and 3161(h)(8)(A), considering the factors under 18
9 U.S.C. § 3161(h)(8)(B)(I) and (iv).

10 6. This is the first request for continuance of the trial in this case.

11
12 DATED this 17th day of February, 2017.

13
14 Respectfully submitted,

15 DANIEL G. BOGDEN
16 United States Attorney

17 /s/ Michael Becker
18 MICHAEL BECKER, ESQ.
19 Counsel for defendant
20 **JAMES BRIAN RAYKE**

21 /s/ Jared Grimmer
22 JARED GRIMMER
23 Assistant United States Attorney
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|---------------------------|---|----------------------------|
| UNITED STATES OF AMERICA, |) | Case No: 2:16-mj-00688-GWF |
| |) | |
| Plaintiff, |) | |
| |) | ORDER CONTINUING |
| vs. |) | BENCH TRIAL |
| |) | |
| JAMES BRIAN RAYKE, |) | |
| |) | |
| Defendant. |) | |

IT IS HEREBY ORDERED that the bench trial in the above-captioned matter currently
 held for February 22, 2017, at the hour of 9:00 a.m., be vacated and continued to ____
March 30, 2017, at the hour of 9:00 a.m.

George Foley Jr.
UNITED STATES MAGISTRATE JUDGE